

COMMON PLEAS COURT  
WARREN COUNTY, OHIO  
FILED

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JAMES L. SMITH  
CLERK OF COURTS

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**IN THE COMMON PLEAS COURT OF WARREN COUNTY, OHIO  
Civil Division**

<b>DR. RAFAEL M. CRUZ, et al.,</b>	:	<b>CASE NO. <u>14CV86331</u></b>
	:	
<b>Plaintiffs,</b>	:	<b>Judge <u>Oda</u></b>
	:	
<b>v.</b>	:	<b>JUDGMENT ON COGNOVIT</b>
	:	<b>PROMISSORY NOTES FOR</b>
<b>WILLIAM M. APOSTELOS,</b>	:	<b>PLAINTIFFS AGAINST</b>
	:	<b>DEFENDANT WILLIAM M.</b>
<b>Defendant.</b>	:	<b>APOSTELOS</b>
	:	

Upon the Complaint of Plaintiffs Dr. Rafael M. Cruz, Leah A. Cruz, Dr. Gloria M. Cruz, Dr. Joseph P. Mullane, Alexandra Cruz Mullane, and Liz Nickell (the "Plaintiffs") for judgment on cognovit promissory notes against Defendant William M. Apostelos, pursuant to the Warrant of Attorney contained in the promissory notes attached to the Complaint as Exhibits A through M, and the promissory notes referenced therein, and for good cause shown, judgment is hereby entered for Plaintiffs against Defendant William M. Apostelos as follows:

**Count I**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit A in the total amount of \$500,000 to Dr. Rafael M. Cruz;
2. For interest accrued at 20 percent per annum accruing from November 8, 2011 until satisfaction; and



3. For court costs.

**Count II**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit B in the total amount of \$3,006,021.93 to Dr. Rafael M. Cruz;
2. For post-judgment interest accrued at the statutory rate until satisfaction; and
3. For court costs.

**Count III**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit C in the total amount of \$752,932.35, less \$588,000 in credited payments, to Dr. Rafael M. Cruz;
2. For post-judgment interest accrued at the statutory rate until satisfaction; and
3. For court costs.

**Count IV**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit D in the total amount of \$110,000, less \$12,000 in credited payments, to Leah A. Cruz;
2. For interest accrued at 20 percent from April 27, 2012 until satisfaction; and
3. For court costs.

**Count V**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit E in the total amount of \$56,688.15 to Dr. Rafael M. and Leah A. Cruz;

2. For interest accrued at 25 percent from February 4, 2013 until satisfaction; and
3. For court costs.

**Count VI**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit F in the total amount of \$259,374.25 to Dr. Gloria M. Cruz;
2. For interest accrued at seven percent from January 1, 2013 until satisfaction; and
3. For court costs.

**Count VII**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit G in the total amount of \$93,600 to Alexandra Cruz Mullane;
2. For interest accrued at 30 percent per annum from January 18, 2013 until satisfaction; and
3. For court costs.

**Count VIII**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit H in the total amount of \$273,000 to Dr. Gloria M. Cruz and Dr. Joseph P. Mullane;
2. For interest accrued at 30 percent from January 18, 2013 until satisfaction; and
3. For court costs.

**Count IX**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit I in the total amount of \$567,910 to Dr. Joseph P. Mullane;
2. For interest accrued at 33 percent from January 18, 2013 until satisfaction; and
3. For court costs.

**Count X**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit J in the total amount of \$75,000 to Dr. Gloria M. Cruz;
2. For interest accrued at 50 percent from February 15, 2013 until satisfaction; and
3. For court costs.

**Count XI**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit K in the total amount of \$347,500 to Dr. Gloria M. Cruz;
2. For interest accrued at 20 percent from March 3, 2013 until satisfaction; and
3. For court costs.

**Count XII**

1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit L in the total amount of \$45,000 to Liz Nickell;
2. For interest accrued at 20 percent from November 8, 2011 until satisfaction; and
3. For court costs.

**Count XIII**

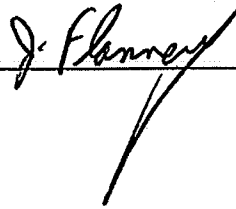
1. For the amount of unpaid principal and interest as required by the Promissory Note attached to the Complaint as Exhibit M in the total amount of \$45,000 to Liz Nickell;
2. For interest accrued at 20 percent per annum from March 8, 2012 until satisfaction;  
and
3. For court costs.

Plaintiffs may file a motion for determination and award of attorney fees and expenses hereafter.

There is no just cause for delay.

**IT IS SO ORDERED**

Judge

A handwritten signature in black ink, appearing to read "J. Flannery", is written over a horizontal line. The signature is stylized with a long, sweeping stroke at the end.